United States Court of Appeals

FOR THE THIRD CIRCUIT

No. 81-2683

UNITED STATES OF AMERICA

v.

PHILLIP GAZIANO, ALFRED ROYSTER, JR.
SUNCREST ENVIRONMENTAL RESOURCES CORP.

Suncrest Environmental Resources Corp.,
Appellant

(D.C. Criminal No. 81-00006-03)

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

Submitted Under Third Circuit Rule 12(6)
May 10, 1982
Before: GIBBONS and HUNTER, *Circuit Judges*
and THOMPSON, *District Judge**

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*Hon. Anne E. Thompson, United States District Judge for the District of New Jersey, sitting by designation.

633 U.S. Post Office and Courthouse
Pittsburgh, PA 15219

Attorneys for Appellee

JUDGMENT ORDER

Suncrest Environmental Resources, Inc. appeals from a judgment imposing fines following its conviction for mail fraud, 18 U.S.C. §1341, using facilities of interstate commerce for bribery, 18 U.S.C. §1952, and conspiracy, 18 U.S.C. §371. It contends:

1) that imposing sentence both on it and on its sole shareholder Phillip Gaziano violates the double jeopardy clause of the fifth amendment;

2) that the court erred in refusing to permit voir dire of prospective jurors with respect to their status as customers of West Penn Power Company.

There is no merit to these contentions.

It is ORDERED and ADJUDGED that the judgment of the district court is affirmed.

BY THE COURT,

...../s/ JOHN J. GIBBONS.....
Circuit Judge

Attest:

.....SALLY MRVOS.....
Sally Mrvos, Clerk

DATED: MAY 11, 1982